

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

GARY E. BOLTON,
Plaintiff,

v.

KAREN DOYLE,
Defendant.

Case No. [15-cv-05238-LB](#)

ORDER OF DISMISSAL
[Re: ECF No. 39]

On September 30, 2016, mail was sent from the court to the plaintiff at the most recent address he provided to the court and was returned undelivered on October 12, 2016, marked “return to sender - not deliverable as addressed - unable to forward.” (ECF No. 45.) Mail sent from the court to the plaintiff at the other address he provided to the court had been returned undelivered on July 21, 2016. (ECF No. 37.) The plaintiff has not provided any address other than the addresses to which the undeliverable mail was sent. More than sixty days have passed since the mail was returned to the court undelivered. The plaintiff has failed to comply with Local Rule 3-11(a) which requires a party proceeding *pro se* to “promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address” when his address changes. Local Rule 3-11(b) allows the court to dismiss a complaint without prejudice when mail directed to a *pro se* party is returned as not deliverable and the *pro se* party fails to send a current address

1 within sixty days of the return of the undelivered mail. This action is DISMISSED without
2 prejudice because the plaintiff failed to keep the court informed of his address in compliance with
3 Local Rule 3-11(a).

4 In light of the foregoing dismissal, the defendant's motion for summary judgment is
5 DISMISSED as moot. (ECF No. 39.)

6 **IT IS SO ORDERED.**

7 Dated: December 13, 2016

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LAUREL BEELER
United States Magistrate Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Plaintiff,

v.

KAREN DOYLE,
Defendant.

Case No. 3:15-cv-05238-LB

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 13, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Gary E. Bolton ID: CC15HC653
Martinez County Jail
901 Court Street
Martinez, CA 94533

Dated: December 13, 2016

Susan Y. Soong
Clerk, United States District Court

By: 
Lashanda Scott, Deputy Clerk to the
Honorable LAUREL BEELER